

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re

JOHN C. MARTIN

CASE NO. 15-45600

AMENDED  
CHAPTER 13 PLAN

Debtor.

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1. The future earnings of the Debtor are submitted to the supervision and control of the Chapter 13 Trustee and the Debtor shall pay to the Trustee for a total period of 60 months, the sum of:

A. \$400.00 from January 2016 through December 2020.

2. From the payments so received, the Trustee shall make disbursements as follows:

A. Payment to holders of allowed secured claims. Such claimants shall retain the liens securing such claims and shall be paid as follows:

Chase Mortgage: The creditor is secured by the real property known as 191-20 109th Avenue, Saint Albans, NY 11412. The Debtor shall remit post-petition mortgage payments directly to this creditor outside of the plan.

B. Payment to holders of priority claims. Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507(a)(1) and (a)(8), including the Chapter 13 Trustee's commissions, and any claims of the state and federal taxing authorities.

C. Subsequent to distribution to the Chapter 13 Trustee and other priority creditors, dividends to unsecured creditors whose claims are duly allowed as follows: Pro rata distribution to all unsecured creditors.

3. The following executory contracts of the debtor are rejected: None.

4. Title to the Debtor's property shall vest in the debtor on completion of the plan, or dismissal of the case, unless otherwise provided for in the Order confirming this plan.

5. Throughout the term of this plan, the Debtor agrees he (1) will not incur post-petition debt over \$3,500.00 without first notifying the Chapter 13 trustee in writing and (2) if unsecured creditors are paid pursuant to paragraph 2(c) less than one hundred percent (100%), the Debtor

shall provide the Chapter 13 Trustee with signed copies of his filed federal and state tax returns for the years 2015, 2016, 2017, 2018, and 2019 no later than April 15<sup>th</sup> of the year following the tax period. If he Debtor receives any tax refunds, the tax refunds are to be paid to the Trustee upon receipt for the years 2015, 2016, 2017, 2018, and 2019, however no later than June 15<sup>th</sup> of the year in which the tax returns are filed.

6. SURRENDER OF REAL PROPERTY: The Debtor surrenders his interests in the property located at 229 10<sup>th</sup> Street, Palisades Park, NJ 07650 (the “NJ Property”), in full satisfaction of any and all claims against the Debtor by PNC Mortgage (the “Creditor”) for loan account number XXXXXX1127. Upon confirmation of this Plan or as otherwise ordered by the court, the automatic stay contained in 11 U.S.C. § 362 is vacated to permit Creditor to pursue any and all remedies to take possession and title to the NJ Property.

Dated: March 2, 2016

/s/John C. Martin

John C. Martin  
Debtor

/s/Norma E. Ortiz

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